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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,940	12/12/2001	Jan Lindquist	27943-00416USP2	5140

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EXAMINER

HALIYUR, VENKATESH N

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/021,940	LINDQUIST ET AL.	
	Examiner	Art Unit	
	Venkatesh Haliyur	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1 page</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 24 have been examined.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,4-8,11-13,16-18, 21, 24 are rejected under 35 U.S.C. 102(b) as being anticipated by La Porta et al [US Pat: 5,509,010].

Regarding claims 1,4,5, La Porta et al. in their invention of "Communications Signaling Protocols" disclosed interworking [item 702 of Fig 7] of narrowband [item 706 of Fig 7] and broadband networks [item 705 of Fig 7] comprising a call control node [item 710 of Fig 7 for item 108 of Fig 1], a connection control node [item 711 of Fig 7, item 108 of Fig 1], a database for linking a particular connection control with a corresponding protocol formats [item 117 of Fig 1].

Regarding claims 6-8,13,18, 21, La Porta et al. disclosed combining narrowband and broadband transport mechanism in a communications network for establishing, modifying, releasing connections and to compute end-to-end connection measurements

for voice, data and video traffic [columns 2-8, column 9, lines 1-22], comprising a call control node [108 of if 1] including switching intelligence and narrowband switching fabric [701 of Fig 7], connection control nodes [711 of Fig 7] each including broadband switching fabric [item 703 of Fig 7] and capable of processing a communication using one of a plurality of formats and an intermediate (switching) node connected to call control node and connection control nodes, switching node being adapted to interwork between call control node and connection control nodes and switching nodes includes a database [items 108,109,102,104,117 and 116 of Fig 1] for linking a particular one connection control nodes with a corresponding format [items 103 and 105 of Fig 1, column 3, lines 11-54, column 6,54-59] and connection control nodes comprising of media gateways/router [item 304 of Fig 3], and switching (intermediate) node comprising mediation/negotiation logic [305 of Fig 3, column 3 lines 33-40, column 5, lines 11-67].

Regarding claims 11,12,16,17, 24, La Porta et al. disclosed switching node is adapted to receive and transmit, performing translation and responsive to communication from a particular connection control node and ascertain a corresponding format associated with that particular connection control node by accessing the database [item 208 of Fig 2, column 3 lines 11-54, column 5, lines 11-50].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,3,9,10,14,15,19,20,22,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over La Porta et al. [US Pat: 5,509,010] in view of Elliott et al. [US Pat: 6,754,181].

Regarding claim 2,3,9,10,14,15,19,20,23, La Porta et al. disclosed processing of audio, data, video and text formats in gateway servers performing translation and mediation functions [column 3, lines 41-54, column 5, lines 11-67], but fails to disclose a specific format such as H.248 standard.

However, Elliott et al disclosed in their invention of "System and method for a directory service supporting a hybrid communication system architecture" a method and systems for using that supports H.323 standard for video conferencing [Fig 15, Fig 19 C, Fig 21-23, Fig 30, Fig 36, Fig. 38 columns 123 - 129].

Therefore it would have been obvious for one of ordinary skill in the art at the time the invention was made to use the teachings on H.323 standards disclosed by Elliott et al. to modify the system of La Porta et al. to include H.248 standard.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art in reference here are La Porta et al. and Elliott et al.

4. Any inquiry concerning this communication or earlier communications should be directed to the attention to Venkatesh Haliyur whose phone number is 571-272-8616.

The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached @ (571)-272-3134. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2600 or fax to 571-273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).


Ajit Patel
Primary Examiner